

Policy on Student Misconduct

CATEGORY: Student – Conduct & Interaction

ISSUE DATE: June 28, 2018

LAST REVISION DATE: May 06, 2021

REVIEW REQUIREMENTS: Every two (2) years

APPROVED BY: President

Policy Purpose

The *Policy on Student Misconduct* outlines the expectations for student conduct and interaction, and the processes for addressing student misconduct.

Scope

This policy applies to all enrolled students, all individuals employed by the College, and any other individuals acting as representatives, or holding a titular position in the College.

Policy Regulations

EXPECTATIONS FOR STUDENT CONDUCT AND INTERACTION

- 1.1. The College is committed to supporting a respectful and safe learning environment that supports high quality learning.
- 1.2. Every student has the right to learn and participate in a learning environment that promotes respectful behaviour and is safe from harassment, discrimination and violence.
- 1.3. To maintain a safe and respectful learning environment, students are expected to respect diversity and refrain from demonstrating any form of discrimination on the basis of race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, ancestry, place of origin, marital status, or sexual orientation.
- 1.4. Students are responsible for being aware of and abiding by applicable laws, and all policies, procedures, and guidelines that are available on the College website.
- 1.5. If the College has reason to believe that a student is in violation of the expectations of the Student Conduct outlined in this policy or the regulations in the *Policy on Respectful Behaviour and Fair Treatment*, the College may initiate the processes outlined below.

STUDENT MISCONDUCT

- 2.1. Violation of the student conduct policy is considered *Student Misconduct*. Student Misconduct is behaving in a manner that is disrespectful of the learning environment, disruptive to the learning process, or which otherwise interferes with the well-being of members of the College community, or causes damage to College property.

- 2.2. Students behaving in the manner described in section 2.1 will be subject to progressive disciplinary action up to and including suspension or expulsion from the College.
- 2.3. All levels of formal review in the College must follow the principles of natural justice and must have been preceded by attempts to informally resolve the Dispute.
- 2.4. The College may choose to address some conduct-related matters via the Criminal Code of Canada. Activities to be addressed in this manner will be pursued by legal means.

- **EXAMPLES OF STUDENT MISCONDUCT**

The following list, although not exhaustive of all actions, are regarded as Student Misconduct:

- ❖ Disruptive or dangerous behavior while on College property;
- ❖ Creating or being part of any situation, which endangers, threatens, or is designed to endanger or threaten the health, safety or well-being of any Student, College Staff or Faculty Member;
- ❖ Harming, injuring, or threatening Students, College Staff or Faculty Members;
- ❖ Possessing or using of any College property without appropriate permission;
- ❖ Possessing or using of any property of a Student, College Staff or Faculty Member without appropriate permission;
- ❖ Misappropriating, destroying or damaging College property;
- ❖ Misappropriating, destroying or damaging the property of a Student, College Staff or Faculty Member;
- ❖ Defacing any College property; or
- ❖ Harassing a Student, College Staff, or Faculty Member.

STUDENT MISCONDUCT PROCEDURE

- 3.1. If an incident of Student Misconduct occurs, the relevant parties must first meet to resolve the issue(s) informally.
- 3.2. If an informal settlement of the issue(s) is not possible, either party may initiate formal action by submitting a written report within seven (7) calendar days of the incident to Student Services.
- 3.3. Student Services will notify the relevant parties that they may submit written statements within seven (7) calendar days of such notice. The parties may opt for an in-person meeting to represent their positions.
- 3.4. Student Services must convey their decision within fourteen (14) calendar days of receiving the written statements and / or hearing the oral representations.
- 3.5. The College may choose one or more of the following disciplinary actions:
 - 3.5.1. Issue a formal reprimand;
 - 3.5.2. Assess and recover the costs to rectify the damage or loss caused by the student (if applicable);
 - 3.5.3. Require the student to write a letter of apology;
 - 3.5.4. Suspend the student;
 - 3.5.5. Dismiss the student.
- 3.6. The following will be considered in deciding appropriate disciplinary action:
 - ❖ The extent of the misconduct
 - ❖ The accidental or deliberate nature of the misconduct
 - ❖ Whether the act in question is an isolated incident or part of a number of repeated acts
 - ❖ Any other aggravating or mitigating circumstances

- 3.7. If any actions stated in section 3.5 are pursued, Student Services must inform the student that the action will be noted in the academic file and will be used to inform decision-making in the event of a new allegation of misconduct.

4. VIOLATION OF STUDENT CONDUCT: APPEAL PROCESS

- 4.1. Any party who is dissatisfied with the decision may appeal in writing to the Registrar within seven (7) calendar days of the receiving the decision conveyed by Student Services.
- 4.2. Within seven (7) calendar days of receiving the appeal, the Registrar must notify all relevant parties that they may submit written statements within fourteen (14) calendar days of the date on the notice. All parties may request or opt for an in-person meeting to represent their positions.
- 4.3. The Registrar will consider the written statements and oral presentations (if applicable) and either confirm or dismiss the decision conveyed by Student Services within fourteen (14) calendar days.
- 4.4. If the decision is dismissed, the Registrar may impose any disciplinary action in section 3.5.
- 4.5. The Registrar's decision is final. This final decision will not detract from any party's right to pursue the matter through other appropriate legal means.

Policy Notes

This policy consolidates the measures included in, and replaces, the following archived policies of the College:

- Policy #1011 – Student Misconduct Policy

ACCOMPANYING POLICIES: This policy is a part of a suite of conduct- and interaction-oriented policies under the Student Policies category. **Policy - ST-022- Policy on Respectful Behaviour and Fair Treatment** and the **Policy - ST-019- Policy on Student Dismissal** may be used in conjunction with this policy.